

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

BRUCE RHYNE and JANICE RHYNE,	:
Plaintiffs,	:
v.	:
UNITED STATES STEEL CORPORATION, et al.,	:
Defendants.	:

:

:

:

**DEFENDANT ACUITY SPECIALTY PRODUCTS, INC.'S
MOTION FOR SUMMARY JUDGMENT**

COMES NOW, Defendant Acuity Specialty Products, Inc. (“Acuity”), by and through its undersigned counsel, who respectfully moves for entry of summary judgment pursuant to Federal Rule of Civil Procedure 56. As set forth in more detail in the accompanying Brief in Support of Motion for Summary Judgment filed contemporaneously herewith, Acuity is entitled to judgment as a matter of law because Plaintiffs have failed to put forth evidence (i) of any benzene exposure from Acuity’s Zep Parts Washing Solvent, let alone evidence that exposure from it caused Mr. Rhyne’s Acute Myeloid Leukemia (“AML”) or (ii) that Acuity’s Zep Parts Washing Solvent was defective. Accordingly, under North Carolina law and established precedent, summary judgment is proper for Acuity.

Respectfully submitted,

Dated: November 26, 2019

/s/ William M. Starr

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CERTIFICATE OF SERVICE

I, William Starr, hereby certify that a true and correct copy of the foregoing was served this 26th day of November, 2019, to all registered parties' counsel by operation of the Court's electronic filing system.

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